

and penalties for failure to provide for the separation of designated recyclables, failure to comply with separation requirements and for knowingly mixing designated recyclables; and other penalties for failing to comply with mandatory requirements. Regulations enacted affecting nonmunicipal collectors shall not become effective until a thirty-day comment period has expired.

(Ord. of 12-90)

### **Sec. 11-87. Severability.**

Sections 11-71 through 11-86, and each part of such section, are hereby declared to be independent sections and parts of sections and notwithstanding any other evidence of legislative intent, if any provision of said sections, or the application thereof to any person or circumstances, is held invalid, the remaining sections, or parts of said sections, and the application of such provisions to any person or circumstances, other than those as to which it is held invalid, shall not be affected thereby, and it is hereby declared that this section would have been passed independently of such sections or parts of such sections as held to be invalid.

(Ord. of 12-90)

## **Chapter 12 HEALTH\***

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**\*Cross references:** Animals, Ch. 6; buildings and building regulations, Ch. 7; fire prevention and protection, Ch. 8; food and food establishments, Ch. 10; garbage, trash and refuse, Ch. 11; housing, Ch. 13; unnecessary smoke from vehicles prohibited, § 15-6; sewers and sewage disposal, § 23-16 et seq.; water, § 23-116 et seq.

**State law references:** Uniform Food, Drug and Cosmetic Act, G.S. §§ 21a-91--21a-120; city health authorities generally, G.S. §§ 19a-200--19a-230.

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Art. I. In General, §§ 12-1--12-20  
Art. II. Board of Health, §§ 12-21--12-45  
Art. III. Emergency Medical Services, §§ 12-46--12-50  
Art. IV. Department of Health, §§ 12-51--12-54

## **ARTICLE I. IN GENERAL**

### **Sec. 12-1. Complaints.**

Any complaint made to the director of health shall be in writing and bear the signature of the complainant.

(Code 1970, § 12-1)

### **Sec. 12-2. Nuisances--Persons not to create.**

No person shall create a nuisance in the city nor permit a nuisance to be or to remain upon any property or in any building owned, occupied or controlled by him.

(Code 1970, § 12-2)

### **Sec. 12-3. Same--Abatement.**

- (a) The board of health and director of health are hereby given the power and authority to summarily abate any nuisance or to cause the same to be abated by the owner, occupant or person in charge of the premises whereon such nuisance is created or exists. No person shall neglect or refuse to abate immediately any nuisance as ordered by such board of health or director of health.
- (b) The plumbing inspector or inspectors now appointed by the building commission shall also render services as agents and in behalf of the board of health commissioners in the matter of insanitary conditions due to lack of, or defective, plumbing and drainage, in accordance with such rules and regulations as may be established by the board of health commissioners.
- (c) It shall be the duty of the director of health or employees of the board of health to report any violations of laws, ordinances, and the rules and regulations relating to health, to the prosecuting attorney, who shall prosecute the same.

(Code 1970, § 12-3)

### **Sec. 12-4. Artesian wells; registration.**

Each property owner having an artesian well on his property shall register the location of such well with the health department.

(Code 19 70 § 12 -4)

**Cross references:** License required to use, etc., wells, § 4-257.

### **Sec. 12-5. Motor vehicle service pits to be covered.**

Any person owning, maintaining or operating a gasoline station or premises for the servicing of motor vehicles that has an open pit for the servicing of motor vehicles shall keep the pits adequately covered when not in use.

(Code 1970, § 12-6)

Secs. 12-6--12-20. Reserved.

## **ARTICLE II. BOARD OF HEALTH\***

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**\*Charter references:** Board of health, §§ 2131, 2132.

**Cross references:** City boards, commissions, committees and authorities generally, § 2-126 et seq.

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### **Sec. 12-21. Board of health commissioners.**

There shall be in the City of New Britain a board of health consisting of seven (7) electors. Four (4) members shall be appointed by the mayor pursuant to section 5-2(e) of the Charter on or before the first day of May in the even years and three (3) members shall be appointed by the mayor on or before the first day of May in the odd years. All members shall serve a term of three (3) years and until their successors shall be chosen. Any vacancy in said board shall be filled for the unexpired portion of the term by appointment by the mayor. The members of said board shall serve without compensation. Each May, the board of health shall elect one (1) of its members chair and that person shall preside at all meetings. The chair shall serve without compensation.

(Code 1970, § 2-219; Ord. of 7-01)

#### **Sec. 12-22. Meetings.**

The board of health shall hold meetings at such intervals and upon such notice as it may by resolution determine.

(Code 1970, 2-220)

#### **Sec. 12-23. Duties.**

The board of health shall govern and control the department of health and shall make all such rules and regulations as are necessary for its operation. In addition, the board shall oversee all expenditures for the provision of other health services within the city which are funded by grants or contributions from the city.

(Code 1970, § 2-221; Ord. of 6-98)

#### **Sec. 12-24. Powers of appointment.**

Subject to its budgetary limitations, the board of health shall appoint as many officers or agents as it shall require for the performance of its functions.

(Code 1970, § 2-222)

#### **Sec. 12-25. Cooperation with board of public works required.**

It shall be the duty of the board of health to cooperate with the board of public works in matters of drainage and sewage.

(Code 1970, § 2-223)

#### **Sec. 12-26. Records open to public.**

The records of the board of health shall be a part of the public records of the city, and shall be kept in the office of the board.

(Code 1970, § 2-224)

#### **Sec. 12-27. Annual report; special reports.**

The board of health shall make a formal report to the council in April of each year including a detailed statement of all the work performed during the year next preceding the report, and shall make such periodic special reports as the council may require.

(Code 1970, § 2-225)

#### **Sec. 12-28. Payroll to be approved.**

In the absence of special orders by the council, the compensation of laborers or other employees of the board of health shall be the ordinary ruling wage for such class of employees. Whenever such help is employed by such board it shall be the duty of the clerk of such board to make out an itemized payroll therefor. When such payroll has been approved by the chairman of such board and certified by the personnel director, the director of finance shall draw his order on the treasurer for the same. The payroll shall be paid and proper receipts taken.

(Code 1970, § 2-226)

#### **Sec. 12-29. Inspection of plumbing and drains; order to correct.**

- (a) *Inspection.* The plumbing and drainage of all buildings in the city shall be subject to the inspection of the health commission officials and for this purpose they are authorized to enter into or upon any building in the city, provided that the requirements prescribed herein are observed.
- (b) *Order to correct.* If upon inspection, it appears to the inspecting officials that the plumbing or drainage is defective, or that any soil pipe or ventilating pipe from any building is placed and maintained with its opening below the roof of surrounding buildings, so as to be detrimental to the health of the neighborhood, they shall issue such orders for the immediate remedy of the defects discovered as they may deem necessary.

(Code 1970, § 2-228)

Secs. 12-30--12-45. Reserved.

### **ARTICLE III. EMERGENCY MEDICAL SERVICES\***

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**\*State law references:** Authority to provide for ambulance services, G.S. § 7-148(c)(4)(D); certification of ambulance services, G.S. § 19a-180.

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#### **Sec. 12-46. Contractual authority.**

- (a) Pursuant to authority of general statutes section 7-148(c)(4)(D) the city may enter into a contract with any person for the provision of ambulance service to its citizens, or may choose to provide ambulance service as a municipal function either through a city department or agency or a quasi-governmental agency such as may be developed.
- (b) It is expressly noted that ambulance and other related pre-hospital emergency health

care services are considered professional services and do not have to be put to public bid. This recognizes the unique nature of these services and the fact that the best interests of the city and its citizens may well be served by someone other than a low bidder on a competitive bid.

- (c) The city may also enter into a contract with any person or may provide itself for a back-up ambulance responder. If the city has already contracted with a person for primary responsibility for ambulance service, then the parties to the back-up contract shall be the city, the primary responder and the back-up.
- (d) Any contract for such ambulance service shall be executed by the mayor after being duly authorized by the common council after the common council reviews such contract.
- (e) The contract with the provider(s) may also provide for volunteer service in the nature of public education and training programs, service programs and related items such as will benefit the citizens of the city and may provide that these services are to be rendered free of charge to both the city and the recipient.
- (f) Further, the contract may provide that the designated responder(s) shall integrate their service with those of the New Britain Civil Defense Squad and other volunteer groups, and may avail themselves with the aid of volunteers as available.
- (g) The city may also, under authority of this section, provide a subsidy to the responder(s) if it is deemed that such a subsidy will assist the provider(s) in developing the best possible service to the citizens of the city.

(Code 1970, § 2-169(A); Ord. of 6-80)

Secs. 12-47--12-50. Reserved.

## **ARTICLE IV. DEPARTMENT OF HEALTH**

### **Sec. 12-51. Department.**

There shall be a department of health.

(Ord. of 7-01)

### **Sec. 12-52. Department head.**

- (a) The head of the department shall be the director of health. The director shall be responsible for the vision, efficiency, discipline and good conduct of the department. Under the authority of the Board of Health, the director of health shall exercise the authority necessary for the prevention of disease and for the promotion and preservation of the health and to make and cause to be executed all necessary orders for such purposes as provided for under the laws of the state.
- (b) Qualifications of the director must be established pursuant to section 8-2(e) of the Charter.

(Ord. of 7-01)

## **Sec. 12-53. Duties of the department.**

The department shall provide or assure the provision of, including the following essential public health services:

- (1) Monitor health status to identify community problems;
- (2) Diagnose and investigate health problems and health hazards in the community;
- (3) Inform, educate and empower people about health issues;
- (4) Mobilize community partnerships and action to solve health problems;
- (5) Develop policies and plans that support individual and community health efforts;
- (6) Enforce laws and regulations that protect health and ensure safety;
- (7) Link people to needed personal health services and assure the provision of health care when otherwise available;
- (8) Assure an expert public health work force;
- (9) Evaluate effectiveness, accessibility and quality of health services; and
- (10) Research for new insights and innovative solutions to health problems.

(Ord. of 7-01)

## **Sec. 12-54. Condemnation appeals process.**

Any person aggrieved by an order issued by the director of health may, within forty-eight (48) hours after the making of such order, appeal to the commissioner of public health, who shall thereupon immediately notify the authority from whose order the appeal was taken, and examine into the merits of such case, and may vacate, modify or affirm such order.

(Ord. of 7-01)

## **Chapter 13 HOUSING\***

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**\*Cross references:** Zoning committee, § 2-96 et seq.; buildings and building regulations, Ch. 7; fire prevention and protection, Ch. 8; flood and erosion control, Ch. 9; garbage, trash and refuse, Ch. 11; health, Ch. 12; home improvement business regulations, § 14-61 et seq.; parks and recreation, Ch. 17; pest control, Ch. 18; planning, Ch. 19; housing site development agency, § 19-40 et. seq.; streets, sidewalks and public places, Ch. 21; utilities, Ch. 23; zoning, App. A.

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Art. I. In General, §§ 13-1--13-15

Art. II. Code, §§ 13-16--13-250

Div. 1. Generally, §§ 13-16--13-35

Div. 2. Administration and Enforcement, §§ 13-36--13-75

Div. 3. Responsibilities of Owners and Occupants, §§ 13-76--13-95

Div. 4. Minimum Standards for Basic Equipment and Supplies, §§ 13-96--13-115

Div. 5. Minimum Standards for Light and Ventilation, §§ 13-116--13-130